

**23.000 Scope of part.**

This part prescribes acquisition policies and procedures supporting the Government's program for ensuring a drug-free workplace and for protecting and improving the quality of the environment through pollution control, energy conservation, identification of hazardous material, and use of recovered materials.

[54 FR 4968, Jan. 31, 1989]

**Subpart 23.1 [Reserved]****Subpart 23.2—Energy Conservation****23.201 Authorities.**

(a) Energy Policy and Conservation Act (42 U.S.C. 6361(a)(1)) and Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901, *et seq.*).

(b) National Energy Conservation Policy Act (42 U.S.C. 8253 and 8262g).

(c) Executive Order 11912, April 13, 1976.

(d) Executive Order 12759, Sections 3, 9, and 10, April 17, 1991.

(e) Executive Order 12902, March 8, 1994.

[60 FR 28496, May 31, 1995]

**23.202 Definitions.**

*Consumer product* means any article (other than an automobile, as defined in section 501(l) of the Motor Vehicle Information and Cost Savings Act) that—

- (a) Consumes energy; and
- (b) Is distributed in commerce for personal use or consumption by individuals.

*Covered product* means a consumer product of one of the following types:

- (a) Central air conditioners.
- (b) Clothes dryers.
- (c) Clothes washers.
- (d) Dishwashers.
- (e) Freezers.
- (f) Furnaces.
- (g) Home heating equipment, not including furnaces.
- (h) Humidifiers and dehumidifiers.
- (i) Kitchen ranges and ovens.
- (j) Refrigerators and refrigerator-freezers.
- (k) Room air conditioners.

(l) Television sets.

(m) Water heaters.

(n) Any other type of product that the Secretary of Energy classifies as a covered product under 42 U.S.C. 6292(b).

*Energy efficiency standard* means a performance standard that—

(a) Prescribes a minimum level of energy efficiency for a covered product, determined by test procedures prescribed under 42 U.S.C. 6293; and

(b) Includes any other requirements that the Secretary of Energy may prescribe under 42 U.S.C. 6295(c).

*Energy use and efficiency label* means a label provided by a manufacturer of a covered product under 42 U.S.C. 6296.

*Manufacture* means to manufacture, produce, assemble, or import.

*Manufacturer*, as used in this part, means any business that, or person who, manufactures a consumer product.

**23.203 Policy.**

Agencies shall consider energy-efficiency in the procurement of products and services. Energy conservation and efficiency data shall be considered along with estimated cost and other relevant factors in the preparation of plans, drawings, specifications, and other product descriptions.

[60 FR 28496, May 31, 1995]

**Subpart 23.3—Hazardous Material Identification and Material Safety Data****23.300 Scope of subpart.**

This subpart prescribes policies and procedures for acquiring deliverable items, other than ammunition and explosives, that require the furnishing of data involving hazardous materials. Agencies may prescribe special procedures for ammunition and explosives.

**23.301 Definition.**

*Hazardous material* is defined in the latest version of Federal Standard No. 313 (Federal Standards are sold to the public and Federal agencies through: General Services Administration, Specifications Unit (3FBP-W), 7th & D Sts., SW., Washington, DC 20407.

[56 FR 55374, Oct. 25, 1991]